



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.08.2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.10501 of 2021

1.Sakkiah
2.Mani Alias Manikandan
3.Arun Alias Alagumalai ... Petitioners/Accused No.1 to 3

Vs

The State Represented by
The Sub Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar District.
In Crime No.131 of 2021. ... Respondent/Complainant

For Petitioners: Mr.M.Jothibasu,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate(Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

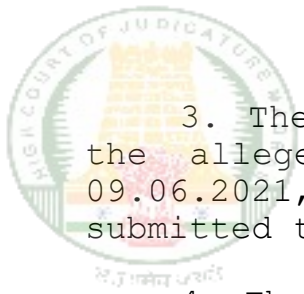
PRAYER :-

For Anticipatory Bail in Crime no.131 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 and 506(2) of IPC in Crime No.131 of 2021, seek anticipatory bail.

2. The case of the prosecution is that on 09.06.2021, at about 02.30 pm, the first accused had attacked the defacto complainant with knife and the other accused have threatened him with dire consequences. Hence, the complaint.



3. The learned counsel for the petitioners submitted that for the alleged occurrence that is said to have taken place on 09.06.2021, complaint has been given only on 25.07.2021. He also submitted that the injured has been treated as out patient.

4. The learned Government Advocate (Criminal Side) opposed this petition on the ground that investigation is pending.

5. Considering the nature of offence and the fact that injured has been treated as out patient and that the major offence is only under Section 506(2) IPC, this Court is inclined to grant Anticipatory Bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court No.II, Virudhunagar on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioners shall report before respondent police as and when required, until further orders.

[c]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
03/08/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
VIRUDHUNAGAR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTTUR.
- 3 THE SUB INSPECTOR OF POLICE
VIRUDHUNAGAR RURAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.M.JOTHIBASU, Advocate SR.No.25157

ORDER
IN
CRL OP(MD) No.10501 of 2021
Date :03/08/2021

SS/JC/SAR-III/09.08.2021 : 3P/6C